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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
TOPGYAL, GELEK W	

ART UNIT	PAPER NUMBER
2621	

NOTIFICATION DATE	DELIVERY MODE
02/05/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/016,828	DAVID ET AL.	
	Examiner	Art Unit	
	GELEK TOPGYAL	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 November 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-36,102,103 and 133-142* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *141 and 142* is/are allowed.

6)☒ Claim(s) *1,3-36,102,103 and 133-140* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/03/2008 has been entered.

Claim Objections

2. Claim 15 objected to because of the following informalities: "the third identifiers" has no antecedent basis in claim 1. Appropriate correction is required.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 3-36, 102-103 and 133-142 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1, 4-6, 8, 15-17, 21, 23, 26, 28-29, 31-36, 102-103 and 133-134** are rejected under 35 U.S.C. 102(e) as being anticipated by Patton et al. (US 6,408,301).

Regarding claim 1, Patton et al. teaches a video and/or audio signal processing system (Fig. 1, Camera 10 or Figs. 7-11, system 35) comprising:

a recorder (Fig. 1, Camera 10) configured to record video and/or audio material on a recording medium (col. 3, lines 52-60 teaches different recording mediums usable with the camera), the recorder including:

a first generator configured to generate first material identifiers for identifying respective pieces of material on the medium such that each piece is differentiated from other pieces on the medium (Col. 4, lines 20+ teaches of recording at time at which point video has been shot. The time is recorded as part of a plurality of metadata associated with the video and audio data and is a unique value applicable to only one video material.);

a second generator configured to generate second identifiers for pieces of material, the second identifiers being generated in accordance with the first material identifiers (Col. 4, lines 20+ teaches text/image/verbal "designation" used to tag a certain video material) and a recording medium identifier for identifying the recording medium upon which the material is recorded (col. 5, lines 3-7 and col. 6, lines 42+ teaches of a disc ID that's stored with the master index. The master is generated using the metadata generated during the capture procedure), and

a metadata generator configured to generate semantic metadata (Col. 4, lines 20+ teaches of scene data (blue sky/water/grass/faces), subject motion, and scene change detection as part of the metadata) describing an attribute of the material, wherein the semantic metadata is associated with the first identifier and the recording medium identifier (the metadata being recorded as discussed).

and wherein the recorder is configured to record the first material identifiers, the second identifiers, and the semantic metadata on the recording medium with the video and/or audio information (col. 5, lines 6-7, teaches that although the master index generated and stored on a RAM, it can be stored back onto the primary picture storage media as well).

Regarding claims 4, 133 and 134, Patton et al. teaches the claimed wherein the second identifiers are universally unique UMIDs (as discussed in claim 1 above, the metadata generated and stored in the master index is unique since the disc IDs are unique).

Regarding claim 5, Patton et al. teaches the claimed wherein the first identifiers are recorded on the medium (As discussed above in col. 5, lines 6-7).

Regarding claim 6, Patton et al. teaches the claimed wherein the first identifiers comprise material reference numbers (As discussed in claim 1 above, the time of the capture of the material is recorded. The time is a reference to the material stored as it is used to generate pointers for the purpose of the index).

Regarding claim 8, Patton et al. teaches the claimed wherein the medium identifier is recorded on the medium (As discussed above in col. 5, lines 6-7).

Regarding claim 15, Patton et al. teaches the claimed further comprising a database processor arranged to associate the second identifiers with at least the first identifiers or with the first identifiers and one or more of the medium identifiers and the third identifiers (as discussed in claim 1 above).

Claims 16, 23, 29, and 33-35 are rejected for the same reasons as discussed in claim 1 above. The rejection for claim 1 above, applies to the multitude of methods, systems, recorders, and reproducers as claimed.

Claim 17 is rejected for the same reasons as discussed in claim 8 above.

Regarding claim 21, Patton et al. teaches the claimed wherein the recorder is arranged to produce a machine identifier identifying the recorder and to record the machine identifier on the medium and/or in the data store (As discussed above in claim 16 (via claim 1) and claim 3, the disc ID is stored).

Claim 26 is rejected for the same reasons as discussed in claim 16 (via claim 1) above, and additionally, the system as disclosed by Patton et al. is capable of retrieval, manipulation and playback of the materials stored.

Claim 28 is rejected for the same reasons as discussed in claims 1 and 4 above; and additionally, the system as disclosed by Patton et al. is capable of retrieval, manipulation and playback of the materials stored.

Claims 31 and 32 are rejected for the same reasons as discussed above in claim 1.

Computer program product claims 36, 102 and 103 are rejected for the same reasons as discussed above in claims 33, 34 and 35, respectively. The camera (Fig. 1) is a digital system that has to use a processor of some sort to control its operations.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. **Claims 3, 24 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Patton et al. (US 6,408,301) in view of Yuen et al. (US 6,240,241).

Regarding claim 3, Patton et al. teaches the claimed as discussed in claims 1 above, however fails to particularly teach wherein a third identifier identifying the machine which initially produces the video and/or audio material is produced.

Yuen teaches in Fig. 12 and its supporting disclosure of the ability to record the machine ID of the recorder that makes an initial recording.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to record the ID of the original machine that records the video program so that a user can determine the origin of the video material.

Claim 24 and 25 are rejected for the same reasons as discussed in claim 3 above.

8. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Patton et al. (US 6,408,301) in view of Wilkinson J. H. ("LINKING ESSENCE AND METADATA IN A SYSTEMS ENVIRONMENT").

Regarding claim 7, the system of Patton et al. teaches the limitations as discussed in claim 6 above, however fails to particularly teach wherein the first identifiers are recorded in the user bits of time codes.

In an analogous art, Wilkinson J. H. teaches in section 2.4 that material numbers defining a particular media clip is stored in the basic UMID. The basic UMID is stored as a header to the media clips (Fig. 2), and therefore are stored in the user bits of time codes.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to store the first identifiers in the user bits of time codes as taught by Wilkinson J. H. to allow media materials or clips to automatically identify the materials or clips themselves. This aids in the archiving and furthermore the retrieval of clips when stored in a database.

9. **Claims 9-12, 18-20, 22, 27, 30 and 135-140** are rejected under 35 U.S.C. 103(a) as being unpatentable over Patton et al. (US 6,408,301) in view of Yuen et al. (US 6,240,241).

Claims 9-12, 18-20, 22, 27 and 30 recite limitations that relate to a housing which contains the medium and supports a data store, additional to the medium capable of storing the following: the first identifier, third identifier (machine identifier), and the medium identifier. The system of Patton et al. and Yuen et al. teaches that all of the information is stored on the medium (As discussed above in claims 1, 3-5, 16-17, 23-26, 29), however fails to teach a data store, additional to the medium that stores the same information. The examiner elects to take Official Notice.

It is well known and conventional in the art for a recording medium to have an additional storage medium supported by a housing, in addition to the recording medium itself, to record same identification information as that stored on the recording medium.

The additional storage medium acts as a backup storage identification information. This allows a user to identify a particular medium and what is stored on the medium without having to actually read the medium. Also, in the case that identification information is lost on the recording medium, the additional storage medium allows for a backup copy to be available.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to incorporate an additional storage medium, in addition to the recording medium itself to decrease the time for effective media/material retrieval in a database by allowing a user to identify and preview information stored on the medium.

Claims 135-140 are rejected for the same reasons as discussed in claims 1 and 10-11 above.

10. **Claims 13 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Patton et al. (US 6,408,301).

Claims 13 and 14 recite limitations wherein the housing of the medium has a label writable with the medium identifier. The system of Patton et al. teaches that all of the information is stored on the medium (As discussed above in claim 1), however fails to teach wherein the housing has a label writable with the medium identifier. The examiner elects to take Official Notice.

It is well known and conventional in the art to be able to label a housing with a medium identifier.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to label a housing with a medium identifier so that a user can improve efficiency of retrieval of a particular medium within a database by being able to identify the medium without having to play the particular medium.

Allowable Subject Matter

11. Claims 141 and 142 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GELEK TOPGYAL whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gelek Topgyal/
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621